IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

MONDAY, THE 15TH JANUARY 2007 / 25TH PAUSHA 1928

WP(C).No. 30620 of 2006(T)

PETITIONER:

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1. T.V.POULOSE,
   XXVIII/76, THEKKENATH, KOCHI UNIVERSITY P.O.,
   KOCHI-22.

2. SMT. SOBHA JOSEPH,
   XXVIII/82, SHARON GARDENS, KOCHI UNIVERSITY P.O.,
   KOCHI-22.

3. GOPALAKRISHNAN NAIR,
   XXVIII/78, KAIPPADA HOUSE, KOCHI UNIVERSITY P.O.,
   KOCHI-22.

BY ADV. SRI.N.O.THOMAS
SRI.C.N.SREEKUMAR
SRI.K.MANOJ CHANDRAN
SRI.P.R.AJITHKUMAR

RESPONDENTS:

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1. THE KALAMASSERY MUNICIPALITY,
   KALAMASSERY, REPRESENTED BY ITS SECRETARY.

2. THE DISTRICT COLLECTOR,
   ERNAKULAM.

3. THE DISTRICT MEDICAL OFFICER,
   ERNAKULAM.

4. SUNDARAN,
   PURAMCHIRAYIL VEEDU, KOCHI UNIVERSITY P.O.,
   KOCHI-22.

5. SUDHEER, S/O. SUNDARAN,
   PURAMCHIRAYIL VEEDU, KOCHI UNIVERSITY P.O.,
   KOCHI-22.

BY ADV. SRI.C.D.JOHNY
SRI.P.SHAIJAN JOSEPH
SRI.M.K.ABOOBACKER

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 15/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C.KURIAKOSE, J.

W.P.(C)NO. 30620 of 2006

Dated this 15h day of January, 2007

JUDGMENT

Submissions made by the learned Standing Counsel for the Municipality will show that it is without obtaining any licence from the Municipality respondents 4 and 5 are presently conducting their cattle farm. The Standing Counsel further submits that action has already been taken by the Municipality and that in response to the notice which was issued by the Municipality, respondents 4 and 5 have already undertaken before the Municipality to close down the farm within a period of one month and they have only request for one month time for making alternative arrangements.

2. Having regard to the submissions addressed before me by the learned counsel appearing on either sides, this writ petition will stand disposed of with the following directions:

Respondents 4 and 5 are hereby restrained from conducting any cattle farm without obtaining licence from the

first respondent Municipality. The first respondent Municipality will take appropriate action for compelling closure of the cattle farm presently conducted by respondents 4 and 5 within two weeks of receiving a copy of this judgment.

PIUS C.KURIAKOSE
Judge

dpk